



GSS Council Meeting Minute

Thursday, June 16, 2016 | GSS Ballroom | 5:30 pm.

A. Call to Order and Adoption of the Agenda

1. The meeting was called to order at 6:18 pm.

BIRT the agenda be adopted as presented.

MOVER: Morgan shepherd **SECONDER:** Charles Copeland

Amendment Motion: council motion 6,7,11 be moved on top, after seating and unseating

Mover: Krish Maharaj

Secunder: Natalie Marshall

Amendment by Natalie Marshall: council motion 7,6,11 be moved to after seating and unseating

Secunder: Bradley Balaton

Motion passed: 35 voting in favour of motion, the agenda is adapted

B. BIRT the following seating is approved:

Nandinee Haq to be seated as Departmental Representative for Electrical and Computer Engineering.

MOVER: Kirsh Maharaj **SECONDER:** Amber Shilling

Introductions

C. Presentations

(10 minutes, 5 minutes for questions)

- *None at this time*

D. Seatings, Unseating and Appointments

2. Notice of Unseatings *(no vote necessary)*

Xiaolei Deng has been unseated from the Human Resources Committee.

Maayan Kreitzman has been unseated from the department representative of Resources, Environment and Sustainability (RES) graduate program.

Tobias Friedel has been unseated from the Code and Policy Committee.

Tobias Friedel has been unseated from the Human Resources Committee.

3. BIRT the following seatings are approved:

N/A be seated to the Code and Policy Committee. (1 ordinary member)

N/A be seated to the House Finance Committee. (2 Councillors)

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N/A be seated to the Human Resources Committee. (1 Councillor, 2 ordinary members)

N/A be seated to the Services Committee. (1 ordinary member)

N/A be seated to the Strategic Planning Committee. (1 Councillor)

Debanga Kashyp and **Lauren Oakley** be seated to the Harassment and Discrimination Committee. (1 ordinary member)

~~_____ be seated as AMS/GSS representative. (none at this time)~~

MOVER: Nicholas McGregor SECONDER: Bradley Balaton

Motion carried

4. Appointment of Interim Vice-President University and Academic Affairs

- There are 6 candidates: Shideh Manavipour, Mahyad Aghigh, Enav Zusman, Xueqing (Rachel) Wang, Viorica Hrincu, Shalini Arya.
- Each candidate shall deliver a one-minute presentation.
- Shalini Arya was selected by Council for the next motion.

BIRT the GSS appoints Shalini Arya as Interim Vice-President University and Academic Affairs (June 28, 2016 to August 31, 2016).

MOVER: Yaseen Mottiar SECONDER: Harry Li

5. Expulsion Resolution

WHEREAS GSS by-laws section 3.8 mandate that GSS members can be expelled for breach of the Constitution or Bylaws of the GSS; and

WHEREAS the HR committee has sought legal advice regarding the publication of the internal GSS report titled, Strengthening Accountability Surrounding Issues of Sexual Violence: How UBC Process is Failing to Protect Graduate Students on sexual assault (the “Report”) on the UBC Insiders online publication; and

WHEREAS Maayan Kreitzman has violated fiduciary duties owed by her to the GSS, including but not limited to duties of loyalty and confidentiality, by publishing the Report; and

WHEREAS the HR committee has provided Maayan Kreitzman with ten (10) days written notice of a special resolution of expulsion as a member of the GSS;

BIRT AS A SPECIAL RESOLUTION that the GSS expel Maayan Kreitzman from her position as a member of the GSS **for a period of one year.**

MOVER: Christina Wiseman SECONDER: Bradley Balaton

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Krish motivated the motion

Spencer: Introduced himself. Talked about his background as a student leader in the AMS. He spoke about his time as an Allard school student. On behalf of Maayan, He made 3 main points:

Maayan has been critical about GSS and this attitude has helped the organization grow. He explained the context in which Maayan approached him, and how he took interest in her case seeing that her goals are in the interest of the society. He said that her penalty, being expelled as a GSS member for one year, is too harsh.

Spencer: Talked about the bylaws - it should be written in ordinary language and words. The conflict is from the bylaw itself. Bylaw was not being breached by Maayan. Punishment if used, is for members, but the duty she is accused to have violated is for directors. He further defended her actions saying that she didn't have any access to the report except through UBC insiders. So she did not use GSS resources to gain access to the report. He sees that the interpretation of the bylaw is a major issue.

Amber opened discussion:

Councillors received adequate training on fiduciary duty and confidentiality. Ignorance is not an excuse. It is every Councillors duty to educate one's self. The GSS as a non-profit organization owns the work. The GSS owned the GSS sexual assault report and Maayan published that report without consent of the GSS Council. This is a contradiction to GSS bylaws. UBC insiders published the report prior to council meeting, forcing Councillors to make a decision that they, procedurally, were not capable of making.

The intent of the action is not up to debate. No matter the intent, It is Maayan's responsibility to know those things as a director. She had duty to know those things, she also had training on fiduciary responsibility, and yet she still published it before it was brought to council. Councillors are not supposed to use their privilege as a director for personal gain and in Maayan's case, she should not have used it to elevate herself as a journalist. She could have brought criticisms against the GSS to council instead and followed due process, but she didn't.

Krish:

Maayan had an obligation not to usurp her responsibility. She denied the council the opportunity to review the report prior to publishing. As a director, fiduciary duty and due process are what gives an organization its power. Without these things, the GSS loses its capability to advocate for graduate students.

Kyle: 3 points: she was acting in favour of GSS/ did nothing wrong by releasing it/ GSS accountable to all students / if GSS is concerned, she should be prized, not expelled for this/ as a representative from AMS society I want you to vote against the motion

Dylan: Want the council to vote against the motion, Maayan was acting in the best interests of those in the report. Compared past GSS president's attitude to chair of the history department, saying that on issues of sexual assault in UBC campus, silence is violence.

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Amanda: Introduced herself. Emphasized the expectation of being a GSS Councillor, that it takes hard work to put forward a stand to the administration. Maayan has made it harder for the entire GSS to respond to sexual assault. By publishing the report, Maayan has disregarded the rest of GSS council and their ability to respond to sexual assault on campus.

Morgan: By publishing the report, Maayan undermined the entire society. The GSS could have made it better, but they were not even given the chance to do so. The manner in which it was brought to council was unfair. The author of the report gave GSS executives less than 24 hours to respond to the report, issuing an “ultimatum” if they didn’t respond. There was no way that council could have provided input and made the report better.

Natalie: It is not the intention of council to undermine or discredit Maayan. This is not meant to attack her. Natalie has great respect for her and she provided good debate on important topics, which is part of a councilor’s job. Natalie cites flaws in GSS system, and points that expulsion is incredibly extreme. Natalie asks - What happens to a member when she is suspended/ expelled?

Chair: You can only be expelled when you violate the bylaws. If you are not a member, you would not be privileged to attend committee meetings, to attend council meetings, or be able to vote in an AGM

Jason PhD student at the back: Asked about the length of punishment

Chair replied: (reads the bylaw) minimum of 2 months to Max of a year

Second speakers

Amber: You should work and decide based on the interest of the society, not of your own

Spencer: What constitute of the interest of the society is question.

Yaseen: further questions the policy. What exactly does it mean to reapply for the position? Further questions the difference between expulsion and suspension when the wording that describes expulsion ultimately functions like a suspension. He asks the president to further define the consequence of expulsion.

Yaseen makes a motion to amend the length of expulsion from one year to two months. The speaker explains that given how the motion is written in the bylaws, this amendment could not be possible. Yaseen asks the president (Gen Cruz) whether she accepts the speaker’s interpretation, in which she does. The amendment does not pass.

Amber emphasizes the gravity of violating fiduciary duty, how two months is not a fitting amendment. Gen expresses agreement to Amber’s statement.

Spencer raises a question as to what services will be available for Maayan should she be expelled. If she was sexually assaulted, will the GSS still provide advocacy services to her for example.

Amber states that Maayan is still a graduate student and thus GSS services will still be available to her.



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Katelyn (an attendee): read two letters from History department. It's in the best interest of GSS not to expel Maayan. Expelling her is an act of retaliation on behalf of then president Tobias Friedel and the GSS does not need that. GSS reputation would be damaged. She urges council to abandon this motion.

Yaseen: recommends replacing "expel" with "suspend", and "one year" with two months.

Amber: Again given the gravity of violating duty of care, we should follow the bylaw procedure at best. In other non-profit organizations, the punishment for violating fiduciary duty is much harsher.

Amanda: We need to say what exactly expulsion means. It could be that she just won't have access to information the way a GSS Councillor does. She is a grad student, and it is not the intention of council to completely "cut her out"

Natalie: on the list there is to choose either to feel or move the motion, and not change expulsion to suspension. In previous meeting they decided on expulsion because it's easier to dial back into a lesser form of punishment. Natalie believes one-year expulsion is too severe.

Gen/Chair: You can increase the time amount, but you cannot decrease it. You cannot change the motion.

Natalie: can we decide about the time amount now? Move amends from one year to two months.

Chair: A period of one year changes to a period of after two months, effective immediately

Amendment

Natalie: Expulsion with the ability to reapply

Seconder: Yaseen

Charles: Expel and reapply again

Amendment: Natalie: option of reapplying after two months rather than one

Amber: against it: based on the severity of the action 2 months is not adequate. The best thing is to follow the motion as it was proposed. It only covers summer (when hardly anyone is here).

Natalie: talks against a period of a year. Two months means expulsion could be before September.

Called question to amendment

Votes: Favour 14, against 17

Amendment failed

Yaseen: One-year suspension

Seconder: Joe (Emily)

The motion excludes "one year"



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Members voted for secret ballot

For 19 against 13 abstain 6

Motion is defeated

She will stay as a member of the society, not expelled

Recess

Quorum is not met after recess, council adjourns.